

Chairman and members
Delta Protection Commission

April 22, 1993

Sirs:

Counting the appointed Commissioners and staff, there are 22 and only 22 people allowed to discuss the business on the agenda, except for this "public comments", ending agenda item. Otherwise there is no public input permitted. This exclusion until the bottom of the agenda, I believe, adequately shows the priority of the electors to you commissioners. This agenda design has been carried over from the first meeting which agenda was probably written by someone who places electors at the bottom of his list in governance, anyhow.

Of the 22 people making decisions affecting the personal lives and private property of people in the five county area, 19 have been requested to and taken an oath and signed a contract to support and defend the federal and state constitutions " ... WITHOUT PURPOSE OF EVASION OR MENTAL RESERVATION." Your present executive director has not taken this oath or nor signed any contract with the people of the California to protect these two social instruments which govern the affairs between the governed and the governing. I do not know whether the other staff have or not. A lack of a requirement for this does not exclude a person from making that affirmation or signing that contract.

We, the people, in these five counties are aware that the purposes of this Commission are, explicitly, to evade these social contract instruments. Remember, case law which by-passes the intent of Articles in these instruments, is intended to evade the intent of these Articles. This commission was formed to gain control over private property within the inadequately, imprecisely mapped boundaries of its jurisdiction. This legislatively established commission was designed by its writer to deny the electors within its boundaries a vote for accountable, elected representation on affairs affecting their land use. The legislation establishing this commission clearly states you are each one, APPOINTED, not elected to this commission.

Because legislators evade the intent of these constitutional instruments does not make it lawful to do so. It merely means they control the badges and guns which enforce, or not, the intent of the articles of these contracts between the governing and the governed by placing the governing above the governed.

With or without purposes of evasion? U S Constitution, Second Amendment still says "The right of the people to keep and bear arms shall not be infringed." What has Contra Costa County Board of Supervisors done to try to evade this intent and infringe on this right? Art 11, California Constitution, tells that Counties shall not be consolidated without vote of the electors. A County is its territory AND its governance. This Commission's stated purpose is for its appointees to exercise power and control over the use of private land in five Counties. No one on this Commission was elected by the electors of this five county jurisdiction. The electors have been disenfranchised.

The planning here is to fund your operations by penalties, fines and bail monies. Sheriff's report of last month questioned the intent of increasing fines, something about probable public outcry. US Constitution, Amendment VIII prohibits excessive bail and fines. How do you intend to get around this?

The people you plan to require to support your operation here, are for the most part vacationers, families on vacation. Your Commission calls it "revenue enhancement." For the families involved in paying for your offices and the furthering of your powers and controls over their property, you will be understood as responsible for inflicting pain and suffering on them.

Do you plan that one provision of your incoming Executive Director contract shall be to support and defend the U S and California Constitutions and to do so "without purpose of evasion or mental reservation?"